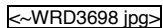


**EXHIBIT C**

**From:** Elizabeth Ashur <[eAshur@coughlinbetke.com](mailto:eAshur@coughlinbetke.com)>  
**Sent:** Monday, July 31, 2023 10:45 AM  
**To:** Jaclyn Wanemaker <[jwanemaker@smithsovik.com](mailto:jwanemaker@smithsovik.com)>; [sschwarz@faraci.com](mailto:sschwarz@faraci.com); [mmastriano@pmtlawfirm.com](mailto:mmastriano@pmtlawfirm.com)  
**Cc:** Christopher Betke <[cbetke@coughlinbetke.com](mailto:cbetke@coughlinbetke.com)>  
**Subject:** Marcellin, C.

 IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender [eAshur@coughlinbetke.com](mailto:eAshur@coughlinbetke.com)

Dear Counsel:

On behalf of attorney Wanemaker, please find attached HP's response to second request for production of documents. A link to the documents will be sent to you under separate email.

EL ZABETH ASHUR  
PARALEGAL  
(617)988-8050 ext. 8057  
[eashur@coughlinbetke.com](mailto:eashur@coughlinbetke.com)  
**COUGHLIN • BETKE LLP**  
Massachusetts | Connecticut | New Hampshire | New York | Rhode Island

**Main Office**  
175 Federal Street | Boston, MA 02110  
T. (617) 988-8050 | F. (617) 988-8005

<image001.png>

**Confidential Transmission**

The information contained in this electronic mail is intended for the named recipients only. It may contain privileged and confidential material. Any other distribution, copying or disclosure is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone and delete the original transmission without making a copy.

<HP Resp to 2nd RPD.pdf>

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

CAROL S. MARCELLIN, individually, and as Co-Administrator of the Estate of Charles E. Hollowell, deceased, and JESSICA HOLLOWELL-McKAY, as Co-Administrator of the Estate of Charles E. Hollowell, deceased,

Plaintiffs,

v.

HP, INC., and STAPLES, INC.,

Defendants.

Civ. No. 1:21-cv-00704-JLS

**DEFENDANT HP, INC.’s RESPONSE TO PLAINTIFFS’ SECOND REQUEST FOR  
PRODUCTION OF DOCUMENTS**

Defendant HP, Inc. (“HP”) hereby responds to the Plaintiffs’ Second Set of Requests for Production as follows:

**DOCUMENT REQUESTS**

1. Provide all documents that reflect the sale, transfer or disposition by HP of the “Laptop”.

**RESPONSE #1:**

Due to the age of the product, HP has been unable to locate responsive documents at this time aside from HP 00482 and HP01417 (previously produced without bates number).

2. Provide all documents relating to the manufacturer’s suggested retail price in 2010-2011  
for an HP Pavilion dv6-3210us Entertainment Notebook PC.

**RESPONSE #2:**

Defendant objects to this request as not reasonably calculated to lead to the discovery of admissible evidence and not proportional to the needs of the case. Subject to and without waiving the foregoing objections, HP states that due to the age of the product in question it is

unable to locate documents responsive to this request at this time. HP refers plaintiffs to HP's answer to plaintiffs' second set of interrogatories #1.

3. Provide all documents related to the warranty offered for the "Laptop", including, but not limited to, how to register the warranty, whether the warranty is transferrable, the coverage under this warranty.

**RESPONSE #3:**

Defendant objects to this request as not reasonably calculated to lead to the discovery of admissible evidence and not proportional to the needs of the case. Subject to and without waiving the foregoing objections, HP incorporates its response to second request for production of documents #1 above. Further answering, HP refers to previously produced documents: HP00053-00181; HP 00182-00233; HP00234-375 as well as HP 01336; HP 01337-01356; HP01358-01365; and HP01357 produced herewith.

4. Provide all documents related to the registration of the warranty for the "Laptop".

**RESPONSE #4:**

HP refers to previously produced documents: HP 00482 and HP01417 (previously produced without bates number) as well as HP01357 produced herewith.

5. Provide all documents relating to any claims made under the Warranty for the "Laptop" during the applicable warranty period.

**RESPONSE #5:**

None.

6. Provide all documents relating to the expected useful life of the original battery pack provided by HP with the "Laptop", including any test reports.

**RESPONSE #6:**

Defendant objects to this request as not reasonably calculated to lead to the discovery of admissible evidence, not proportional to the needs of the case and on the grounds it uses a vague, undefined term: "expected useful life." Subject to and without waiving the foregoing objections, for battery cycle life information HP refers to previously produced: HP01297-

01334 as well as HP01366-HP01377; HP01378-01389; HP01390-01400; and HP01401-1411 produced herewith.

7. Provide all documents related to HPs investigations of the hazards or dangers associated with the use of a “counterfeit battery pack” as a replacement battery for an HP Pavilion dv6-3210us Entertainment Notebook PC.

**RESPONSE #7:**

None.

8. Provide all documents relating to any “battery overcharge protection” or “battery cell balancing” features designed into the “Original Battery” pack sold with the “Laptop”.

**RESPONSE #8:**

Defendant objects to this request as not reasonably calculated to lead to the discovery of admissible evidence and not proportional to the needs of the case. Subject to and without waiving the foregoing objections, HP refers to previously produced: HP01297-01334 as well as HP01366-HP01377; HP01378-01389; HP01390-01400; and HP01401-1411 produced herewith.

9. Provide all documents relating to the design and manufacturing specifications for the “Original Battery Pack” including, but not limited to, all documents relating to the BMS of and specifying the “BMS” connections between the chip or chips on the “Original Battery Pack” and the Laptop and the features enabled or purpose for each of those connections.

**RESPONSE #9:**

Defendant objects to this request as not reasonably calculated to lead to the discovery of admissible evidence and not proportional to the needs of the case. Subject to and without waiving the foregoing objections, HP refers to previously produced: HP01297-01334 as well as HP01366-HP01377; HP01378-01389; HP01390-01400; and HP01401-1411 produced herewith.

DATED: July 31, 2023  
Williamsville, New York

**SMITH SOVIK KENDRICK & SUGNET, PC**

/s/ Jaclyn S. Wanemaker  
Jaclyn S. Wanemaker, Esq.  
6245 Sheridan Drive, Suite 218  
Williamsville, New York 14221  
Tel: (315) 474-2911  
[jwanemaker@smithsovik.com](mailto:jwanemaker@smithsovik.com)  
*Attorneys for Defendant, HP, Inc.*

Certificate of Service

I, Jaclyn S. Wanemaker, do hereby certify that on 31<sup>st</sup> day of July 2023, I served a copy of the within document via email.

FARACI LANGE, LLP  
Stephen G. Schwarz, Esq.  
1882 South Winton Road  
Suite 1  
Rochester, New York 14618  
Telephone: (585) 325-5150  
Facsimile: (585) 325-3285  
Email: [sschwarz@faraci.com](mailto:sschwarz@faraci.com)

PILLINGER MILLER TARALLO, LLP  
Maria Mastriano  
126 N. Salina Street, Suite 215  
Syracuse, NY 13202  
Tel.: (315) 471-6166  
Fax: (315) 295-2575  
[mmastriano@pmtlawfirm.com](mailto:mmastriano@pmtlawfirm.com)

/s/ Jaclyn S. Wanemaker

\_\_\_\_\_  
Jaclyn S. Wanemaker, Esq.